

REMARKS

Formal Matters

Claims 1, 2, 4-9, 11, 12, 14-19 and 21-23 are all the claims pending in the application.

Applicant thanks the Examiner for indicating acceptance of the drawings filed on April 15, 2004.

Amendments to the Claims

Applicant has amended claims 1, 2, 4, and 11 to claim aspects of the invention with more particularity. Applicant submits that the amendments are supported throughout the specification, and do not constitute new matter. Applicant additionally submits that the subject matter of the amendments was previously before the Examiner (e.g., claims 14 and 15), and therefore no new search is required. Applicant requests that the amendments be entered as a matter of course.

Claim Rejections: 35 U.S.C. § 102 ~ Lennon

Claims 1, 4, 6, 11, 14-15, and 21-23 stand rejected under 35 U.S.C. § 102(e) as allegedly anticipated by Lennon et al. (US 2002/0107973, hereinafter “Lennon”).

Applicant traverses the grounds of rejection, as the reference does not teach or disclose all of the recited features of the claims.

Claim 1

For example, claim 1 recites, *inter alia*, “a search module for locating a Uniform Resource Locator (URL) using a unique identifier, pre-assigned to each program, in the received external digital content metadata, said URL accessing a program in the received external digital content metadata”.

The Examiner asserts that metadata server 212 acts as a search module for locating a URL, as recited in the claim (Office Action, page 2).

The provided portions of Lennon (paragraphs 72 and 73) describe receiving a description of an item (i.e., metadata, paragraph 66), reviewing the description to identify metadata associated therewith, and then examining said metadata and converting the metadata to an interpretable form. A metadata server may be used to translate metadata stored in a legacy database.

Assuming, *arguendo*, that the Uniform Resource Identifier (URI) of Lennon corresponds to a Uniform Resource Locator (URL) of the claim, the Examiner concludes that paragraphs 71, 105, and 106 of Lennon disclose a unique identifier assigned to each program in the received external digital content metadata (Office Action, page 2).

These provided portions of Lennon describe a media browser accessing metadata over the internet. Links are used, with the target of each link expressed as a Uniform Resource Identifier (URI) (paragraph 73).

If there is no “visualidentifier” (a visual identifier can be the URI of a thumbnail or movie/audio track preview, paragraph 89), Lennon generates a textIdentifier (A text identifier typically contains a string value which describes the descriptor, paragraph 89).

Such identifiers in Lennon while, *arguendo*, are unique, are not pre-assigned to each program in the received external digital content.

Applicant respectfully submits that the Examiner conflates the recited feature of a URL and the unique identifier, and thereby ignores the recited relationship: the search module recited in claim 1 locates a URL using the unique identifier pre-assigned to each program.

Applicant submits that Lennon does not teach or disclose “a search module for locating a Uniform Resource Locator (URL) using a unique identifier, pre-assigned to each program, in the received external digital content metadata, said URL accessing a program in the received external digital content metadata”, as recited in claim 1.

As the reference does not teach or disclose all of the recited features of the claim, claim 1 is therefore patentable over the reference, for at least this reason. Claims 21-23 are patentable at least by virtue of their dependency.

Claim 4

Claim 4 recites a similar feature to claim 1 discussed above, and is therefore patentable for at least the analogous reason. Claim 6 is patentable at least by virtue of its dependency.

Claim 11

Claim 11 recites a similar feature to claim 1 discussed above, and is therefore patentable for at least the analogous reason.

Claims 14 and 15

Applicant submits that the Office Action fails to establish a *prima facie* rejection of the claims in failing to address where in the reference all the recited features of the claim may be found.

Specifically, claims 14 and 15 recite, *inter alia*, “locating a Uniform Resource Locator (URL) **using a content reference ID (CRID)** in the received external digital content metadata”.

The Office Action fails to address where in the reference this recited feature is found, and Applicant submits that Lennon neither teaches nor discloses said recited feature. Applicant therefore requests that the rejection of claims 14 and 15 be withdrawn.

Claim Rejections: 35 U.S.C. § 103 ~ Lennon + APA

Claims 2, 7-9, 12, and 17-19 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Lennon in view of Applicant's admitted prior art (hereinafter "APA").

Applicant submits that the APA does not cure the above deficiencies of Lennon, and therefore the claims are patentable over the references for at least this reason. Applicant also traverses the grounds of rejection, as Lennon does not teach or suggest all of the recited features of the claims, even when combined with the APA.

Claim 2

For example, claim 2 recites, *inter alia*, "wherein the digital content metadata received external to the network is TV-Anytime metadata, the digital content metadata peculiar to the network is Universal Plug and Play (UPnP) Content Directory service (CDS) metadata, and the unique identifier is a Content Reference Identifier (CRID)."

The Examiner asserts that "Lennon discloses the digital content metadata received external to the network can be any known metadata standard" (Office Action, page 5).

Applicant submits that Lennon discloses "one of a **predetermined** number of known metadata standards" (paragraph 11), and "any of said known metadata standards" (paragraph 12).

Lennon then provides a list of predetermined metadata standards: Lennon provides that "the type of metadata that has been received, examples of which may include Dublin Core,

MPEG-7 or DIG35 for images, each of these metadata standards that are known in the art” (paragraph 101).

Rather than teaching, as the Examiner asserts, the use of all known standards, Applicant submits that Lennon discloses the use of a predetermined number of standards and provides three standards.

Even assuming, *arguendo*, that Lennon could be modified in the manner suggested by the Examiner, wherein the digital content metadata received external to the network is TV-Anytime metadata and the digital content metadata peculiar to the network is Universal Plug and Play (UPnP) Content Directory service (CDS) metadata, Lennon, however, provides no such teaching or suggestion for modification.

Applicant submits that the suggestion for modification provided by the Examiner, that it would be obvious to modify the system “as one of popular choices for content search” is therefore unsupported by the reference.

Additionally, while, *arguendo*, there exist devices that support both TV-Anytime and UPnP CDS but provide the consumer with irrelevant information (see paragraph 24 of the published application; paragraph 22 of the specification as filed), such devices are not disclosed as recited by the claims, including the recitations of the independent base claim.

Applicant therefore submits that the rejection should be withdrawn, for at least the above reasons.

Claims 7, 8, 9, 12, 17, 18, and 19 recite similar features and therefore are patentable over the cited references, for at least the analogous reasons.

Claim Rejections: 35 U.S.C. § 103(a) ~ Lennon + Sie

Claims 5 and 16 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Lennon in view of Sie et al. (US 2002/0199188, hereinafter “Sie”).

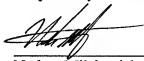
Applicant submits that Sie, alone or in combination, fails to cure the above deficiencies of Lennon, and that claims 5 and 16 are patentable over the cited references, for at least this reason.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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